

MAXWELL IN JAIL ON THIRD CHARGE

Released Again on Habeas Corpus,
Another Charge is Filed
Against Him.

MAKING DESPERATE FIGHT HELD ON LOCAL WARRANT UN- TIL NEW PAPERS ARRIVE.

Dr. David P. Maxwell, the physician wanted in Cleveland, O., on a charge of performing a criminal operation, was discharged a second time on a writ of habeas corpus by Judge Armstrong in the district court yesterday. He was immediately rearrested by Chief of Police George A. Sheets on a warrant charging him with trying to bribe Joseph Bernhardt, the Cleveland officer who is here to take him back, and spent last night in the city jail.

When Judge Armstrong discharged Maxwell Saturday he was at once rearrested on a second warrant charging him with being a fugitive. That same night, his attorneys, Brigham Clegg and A. L. Hoppaugh, secured a second writ of habeas returnable before Judge Armstrong yesterday, and served it at once.

Accused of Local Offenses.
Judge Armstrong held that Saturday that the Ohio requisition papers were defective. In order to hold Maxwell, therefore, until new requisition papers could be got, and fearing that Judge Armstrong would discharge Maxwell on the second fugitive warrant, the police caused the issuance of the warrant charging Maxwell with attempted bribery, an offense which, if committed at all, was committed in this state.

The bribery warrant was served on Maxwell Sunday while the second habeas corpus proceeding was pending. When the case was called yesterday, County Attorney Parley P. Christensen, representing the Cleveland officers, virtually admitted that the second fugitive arrest was illegal, but set up that Maxwell was being confined in jail on the bribery charge.

Bribery Arrest Illegal.
Judge Armstrong held that to arrest Maxwell on the bribery charge while the habeas corpus action was pending was illegal, because Maxwell was virtually arrested on the bribery charge of the court. He therefore discharged him, but announced from the bench that after his discharge and the conclusion of the habeas corpus proceedings, there was nothing to prevent his being arrested on the bribery charge. Acting on this suggestion from the bench, Chief Sheets arrested Dr. Maxwell again as soon as he was safely off the grounds of the city and county buildings.

Considerable amusement was afforded during the argument of the case by the fact that County Attorney Christensen and Chief Sheets told rather hesitating and conflicting stories about what happened at the police station Saturday night when Attorney Clegg went to demand a copy of the process under which Maxwell was arrested the second time. The defense was trying to prove that a copy of the process had been refused, and Messrs. Christensen and Sheets, testifying in rebuttal, were apparently uncertain as to what actually did happen.

Finally Judge Armstrong remarked with some sarcasm that the witnesses refresh their memories. Court accordingly took a recess, and Chief Sheets later went on the stand again, and gave much more coherent testimony as to the occurrence. He admitted, on cross-examination, that his memory had been "refreshed" by Mr. Christensen during the recess.

Is Making Hard Fight.
Dr. Maxwell is making a desperate fight for his liberty. It is said that he is possessed of ample funds, or at least has wealthy brothers who are willing to furnish him with money. He drew on one of his brothers yesterday for \$500, which he expects to get.

The Cleveland officers assert that Dr. Maxwell once served a term in the Ohio penitentiary for an offense similar to that which he is now charged, and a friend of Dr. Maxwell expresses

A Doctor's Medicine

Ayer's Cherry Pectoral is not a simple cough syrup. It is a strong medicine, a doctor's medicine. It cures hard cases, severe and desperate cases. Especially good in bronchitis, pleurisy, consumption. Ask your own doctor all about taking it.

We have no secrets! J. C. Ayer & Co., Lowell, Mass.

YOU SHOULD STOP THAT COUGH RIGHT NOW

And to do it right you must of necessity have some of the celebrated

Peerless Cough Drops

5c and 10c per Box

We have also the finest Horehound Candy ever produced, at 5c per pound. Get 10c worth. It'll do you good. We always keep a fine stock of wines and liquors on hand for medicinal purposes.

A. C. SMITH, The Old Reliable
Druggist, 142 Main St.

Davis MONEY-BACK SHOES

228-240 MAIN STREET.

TO BE A GATE FOR TUBERCULOSIS

Board of Health Will Adopt Measures to Prevent Spread of Disease.

TREAT IT AS AN INFECTION STRICTER REGULATIONS FOR THE ISOLATION HOSPITAL.

Hereafter rooms and houses where people die of pulmonary tuberculosis will be fumigated by the board of health. This was decided upon at a meeting of the board yesterday, and it is to be done to prevent infection. The fumigation will not be confined alone to residences, but will be extended to places where they have recently been employed prior to their death.

It is the intention of the board to deal with tuberculosis in the same way as with any other contagious or infectious disease, except, of course, that victims of it will not be subject to quarantine regulations during their illness.

The board did not discuss the small-pox situation further than to decide that smallpox patients from outside the corporate limits of Salt Lake shall not be sent to the isolation hospital without the consent of the health commissioner. It has been the custom of outside towns to send patients without consulting anybody, and there has been more or less difficulty in collecting bills for their treatment. Hereafter formal authorization will have to be secured, and in this way a check will be kept on all such patients.

The belief that the doctor is not altogether sound mentally.

Dr. Maxwell is at least 50 years of age. He is dressed in a black broad-cloth suit, and wears gold-bowed glasses. He made no comment when he was arrested the third time last evening, and accompanied Chief Sheets back to the city jail willingly and smilingly. The new requisition papers will probably arrive from Ohio tomorrow, but there will undoubtedly be another prolonged legal battle before the case is disposed of.

MOTHER GIVES UP CHILD.

Consents that Her Small Infant Shall Be Adopted by Others.

John and Mary Hamilton filed a petition in the district court yesterday asking that they be allowed to adopt Mary Jane Jenner, aged 16 days, and that her name be changed to Mary Jane Hamilton. Written consent of the mother, waiving all her right to control or to have the custody of the child, was filed with the petition.

WIFE SWEARS AT HIM.

Therefore Nels A. Anderson Demands Divorce From Her.

Because his wife told him to "go to hell," and locked him out of their home, Nels A. Anderson, a laborer, yesterday sued her for divorce. From the time he was locked out of his home in 1904, she has persistently refused to live with him. They were married in Sweden in 1890, have six children, and the alleged acts complained of occurred in Tooele county.

Court Notes.

The will of Karen J. Jensen was filed for probate yesterday. The estate is valued at about \$1,800, and Julia and Elva Jensen are named as executors. The will of Sven August Ahlberg, who left an estate valued at \$3,500, was filed for probate yesterday. Mrs. F. Savage of Murray is named as executor.

The case of James Young against William Gordon et al., involving the right to use the waters of Mill creek, is on trial before Judge Morse. The city is interested in the outcome of the suit, because it attempted to make a trade for the use of Mill Creek water in augmenting the city supply.

ASK FOR SIDEWALKS.

Citizens Petition for Improvements Around Temple Block.

An effort is under way to induce the Mormon church authorities to lay sidewalks on the three blocks around the Temple square. At present, the lack of this improvement. The blocks are those on Main, North Temple and West Temple streets. A petition has been prepared and will be forwarded to the church authorities asking that the work be done and setting forth the annoyance and inconvenience suffered by many citizens who are compelled daily to walk along the blocks named. Among those who have signed the petition are W. S. McCormick, Henry A. McCormick, S. A. Whitney, J. J. Judson, W. H. Dale, John Held, Herman Harris, H. B. Clawson, Don H. Porter, Sam A. Porter, L. B. Eddy, E. H. Allen, Oscar W. May, M. J. Marriott, F. J. Hill, F. C. Richmond, and a great many others. It is thought there will be little difficulty in securing the improvement.

All first-class restaurants and homes have Vienna bakery bread.

REAL ESTATE TRANSFERS.

Lafayette Clinton to James E. Clinton, part lot 2, block 2, plat 1, 500
Libbie A. Miller to Mrs. E. C. Warren, part lot 4, block 11, plat 2, 1,750
Edna Jensen to Ed. Krebbs, lot 1, block 1, Snow's subdivision, 1,100
Jesse C. Linte to Henry C. Hoffman et al., lot 1, block 1, 100
Marion Park to J. D. Gies, range 2 west, township 3 south, 2
Edna Shearman Katz to George Canby, part lot 2, block 2, plat 1, 6,000
Orsen Newbold to William T. Hyde, land, section 22, township 3 south, range 1 west, 500
Mary E. Drage et al. to Big Cottonwood corporation of Church of Jesus Christ of Latter-day Saints, land, section 10, township 3 south, range 1 east, 1
Church of Jesus Christ of Latter-day Saints to Big Cottonwood corporation of Church of Jesus Christ of Latter-day Saints, land, section 10, township 3 south, range 1 east, 1
O. F. Peterson to Leo Bowers, lots 14 and 15, block 1, West Drive, 225
Mary Ann Bruce Lloyd to John W. Pfeiffer, lot 8, block 41, plat B, 1,700
Brigham M. Pratt to J. D. Gies, part lot 1, block 3, plat K, 1

RIO GRANDE WILL USE ELECTRICITY

Company Plans Power Plants to Furnish Light for Trains, Yards and Shops.

WILL ABOLISH USE OF OIL COST OF INSTALLING NEW SYSTEM WILL REACH \$1,000,000

The entire Rio Grande system is to be lighted entirely by electricity. The Denver & Rio Grande's intention to light its road with electricity was announced some months ago by The Herald. Later and fuller information has now been received. All shops and cars and yards will be furnished with electric light furnished by plants operated and owned by the company. A large and complete plant will be located at Denver near the Burnham shops and another plant will be built in Salt Lake. Trains will carry equipment to furnish electricity for the lighting of cars. Every light used by the company will be electric and the work of erecting plants and furnishing the road with the necessary equipment will cost approximately \$1,000,000. When the present plans are carried out in detail the Denver & Rio Grande system will be the best lighted railroad system in the world.

Will Be More Satisfactory.
The foul smelling oil and tallow torches in use by workmen in shops of all kinds will be replaced by electric torches. The oil lamps in use in cars and shops will also be replaced by electric lamps, and will also the gas lamps now used in the cars in passenger trains. The change will not alone afford a better lighting system, but the abolition of gas and oil lamps will do away with the danger of fires in the shops. One local railroad man in discussing this phase of the plan said: "The substitution of electric lamps for gas lamps in passenger train equipment will be an event in railroad history. In nearly every wreck occurring between passenger trains the loss of life is greatly due to fire breaking out in the debris of the demolished cars. Many persons who are merely pinned under the wreckage and could be saved without injury are often burned to death before aid can reach them. With the inauguration of electric lighting this danger would be reduced. Engine headlights will be made more reliable by the installation of electricity. A brighter, steadier light can be obtained. Brighter oil is used in any shape there is always a certain element of danger. In the case of switch yard lamps, the oil may be exhausted and the lamp extinguished, with a sudden loss of light. The only warning of danger or message of safety, upon which the engineer relies, is gone, and many disastrous wrecks have resulted in this manner."

Complete Change Proposed.
The Rio Grande will not merely furnish passenger trains with electric lights, but will provide lights of this kind for freight trains, engines and cabooses will be lighted in this manner. Switch yards will also be lighted with electricity. The oil and tallow torches now in use by car inspectors and repairers in switch yards and at stations will be replaced by electric torches. All signal lights and semaphore lamps will be electric instead of oil. While the change has been passed upon, and plans completed for the preliminary work of installing this new lighting system, it will be some time yet before the Rio Grande system will be lighted entirely with electricity. The change will be so complete that much time will be consumed in preparing for it.

SNOWSLIDE STOPS TRAVEL.

Tons of Debris Cover Rio Grande Branch in Provo Canyon.

Railroad communication between Heber and Provo was shut off yesterday. The Rio Grande track between these two cities was covered with tons of snow and debris which slid from the steep side-hills near Upper Falls in Provo canyon. The recent storms have covered the mountain sides with snow to a depth of several feet. At Upper Falls, about eleven miles above Provo, the snow broke from its moorings and covered the tracks for a distance of seventy feet. The regular daily train service between the two cities was necessarily abandoned. A gang of 100 workmen was sent to the scene to clear the tracks. It was expected trains would be in operation through the canyon today.

Big Shipment of Automobiles.

A train of seventeen cars passed through Ogden yesterday. It was not the number of cars alone that made this train interesting, but the fact that these seventeen cars contained over \$200,000 worth of Rambler automobiles. This train has moved solid from Kenosha, Wisconsin, over the Chicago & Northwestern and the Union Pacific. The "buzz-wagons" are consigned to John B. Jeffrey, San Francisco. The train will proceed to the coast over the Southern Pacific. There are in the neighborhood of 200 automobiles in the train.

Park City Train Delayed.

The Rio Grande's Park City train was delayed an hour Sunday morning by a rock-slide. At a point near Barclay several tons of dirt and rocks slid from the side of a narrow cut. The dirt struck the engine but aside from breaking the pilot did no damage. The pilot was chained to the front of the

engine, the track was cleared by a gang of section men and the trip continued to the mountain town.

Mission Desk for Women.

The Salt Lake Route has just placed in its new offices on Main street a desk for its women patrons which is from a mission furniture firm, Riverside, Cal. The desk is of weathered oak and is finished entirely by hand. It is in mission style to match the other furniture of the office.

Railroad Notes.

F. C. Webb, representing a large eastern railroad supply house, was in this city yesterday.

Charles A. Davidson, assistant city ticket agent of the Rio Grande in this city, is in Butte on a vacation trip.

District Freight and Passenger Agent Donald Stubbs, of the Oregon Short Line at Boise, Ida., was in Salt Lake yesterday.

The Western Pacific has tents arriving at Winnemucca, Nev. This is a forerunner of the near commencement of work near that point.

The Rio Grande excursion to Ogden Sunday carried 400 Salt Lake residents. Many local Christian Scientists heard Clarence Buskirk's lecture.

H. L. Youngerman, recently appointed traveling passenger agent of the Rock Island in this city, will visit his first trip today. Mr. Youngerman will visit points in Colorado.

Clyde Simmons, assistant ticket agent in the local Oregon Short Line passenger offices, left for San Francisco yesterday. Mr. Simmons is on a four weeks vacation trip, and will visit other cities along the coast during his absence.

MUTUAL RESERVE IS PREPARING A DEFENSE

New York, March 5.—Counsel for the Mutual Reserve Life Insurance company today obtained leave to challenge members of the March grand jury, which is now being empaneled, and which it is expected will conduct the investigation of the company begun by the February grand jury.

The Mutual Reserve was touched upon in the Armstrong report, and it was argued that opinion regarding the case to be heard by the jury may already have been formed by some of those who have read the report.

ON TO NEPHI.

Manufacturers & Merchants' Association "Get Acquainted" excursion, Salt Lake and intermediate points to Nephi, March 7th. Special train leaves, via Salt Lake Route, 7:30 a. m.

METEOROLOGICAL REPORT.

Yesterday's Record at the Local Office of the Weather Bureau.

Maximum temperature, 39 degrees; minimum temperature, 27 degrees; mean temperature, 33 degrees, which is 4 degrees below the normal. Accumulated excess of temperature since the first of the month, 35 degrees. Accumulated excess of temperature since Jan. 1, 16 degrees. Total precipitation from 6 p. m. to 6 p. m., 14 inch. Accumulated excess of precipitation since the first of the month, 50 inch. Accumulated excess of precipitation since Jan. 1, 30 inch.

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Must Bear Signature of
Dr. J. C. Carter

SEE FACSIMILE WRAPPER BELOW.

Very small and as easy to take as sugar.

CARTER'S LITTLE LIVER PILLS.

FOR HEADACHE. FOR DIZZINESS. FOR BILIOUSNESS. FOR TORPID LIVER. FOR CONSTIPATION. FOR SALLOW SKIN. FOR THE COMPLEXION.

Price 25 Cents. Purely Vegetable. *Dr. J. C. Carter*

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Largest Makers of Collars and Shirts in the World.

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Sample Package Free—Prove It Yourself.

When we say that we can cure Piles we mean just exactly what we say—nothing more, nothing less. We say it because we know it and stand ready to prove it to you or to any other person. Just as we have said it and proved it to thousands already.

It is because of these thousands that we have cured that we are able to say this. We have done our part in calling your attention to this fact and it is up to you to disprove it. And we offer you the means of doing so, knowing that you can't and that when you try our wonderful Pyramid Pile Cure you will be so well pleased with it that you will go straight to your druggist and get a box of it.

And more than that, if at any time in the future any person tells you as you have told so many yourself, that they are suffering the agonies of the damned from piles, you will not rest until he or she has bought and is using a box and getting the same relief and cure that you got. We have seen it done.

Here, for instance, is a sample of what a sample did, and shows very conclusively that we are dealing in cold, hard facts, and not empty assertions. A person who gets a sample never fails to buy.

Mr. John Byrne of 2306 2nd Ave., New York City, writing under date of Jan 17th, 1906, says: "I received the sample and used it right away. I got so much relief from it after 20 years' suffering, that I bought a 50 cent box. The most unbearable pain is almost gone and my fistula has almost disappeared. I had given up all hope of ever being cured. I assure you, gentlemen, I will use every effort to make any of my friends try them, as I can guarantee a cure. A sure cure. Pyramid Pile Cure is for sale at every druggist's for 50 cents a box and it is cheap at ten times the price to any one who needs it."

To get a Free Sample send your name and address today to the Pyramid Drug Co., 181 Pyramid Building, Marshall, Mich.

DRINK

Bars Men from Employment

Every line of business is beginning to shut its doors absolutely to drinking men. Business competition has become so keen that only men of steadfast habits can find employment.

Employers do not want men that are addicted to drink. A drinking man is not fit for any responsible work. Continual drinking diseases the nerve system. No "will power" can cure; treatment is necessary.

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He done it, but

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How I Cure Weak Men With Electricity

No man should be weak, puny and debilitated, when it is easy to be as big and husky as any man you see on the streets.

Men with small flabby muscles, thin-cheeked, dull-eyed, short of breath, without endurance, courage, ambition, sand or grit in their make-up, are WEAK MEN. If they were not born weak I can make physical giants of them.

How do I do it? By filling the blood, the nerves, the organs and muscles with electric energy—that is what Nature gave them at first, that is what they have lost when they break down.

I am not performing miracles. I have only discovered that what makes all this strength, this steam, this FORCE in a man is his Animal Electricity. That is what makes muscles and heart strong. When I find a man who has lost that power, and feels only half a man I want to give it back to him, and I can do it, for I have done it for thousands.

Dr. Mc